THE MICHAEL M. PHILLIPS LAW FIRM, P.C.

MICHAEL M. PHILLIPS
PHILLIPS BUILDING
515 N. VELASCO STREET
ANGLETON, TEXAS 77515

MAILING:
P. O. BOX 1030
ANGLETON, TEXAS 77516-1030

TELEPHONE: 979-849-4382
FACSIMILE: 979-849-1409
E-MAIL: MICHAEL@MPHILLIPSLAW.COM

June 28, 2024

Matt Hanks, County Engineer
451 N. Velasco, Suite 230
Angleton, TX 77515

Via USPS Priority Mail

RE: Petition to Abandon 0.275 ac "Road Easement"

Dear Mr. Hanks,

I am one of the lot owners and represent as attorney all lot owners on the portion of Loop Drive that we are requesting be closed. Loop Drive and a portion of Phyllis Street were previously closed in 2021 and subsequently transferred to me as reflected in filed document 2017012964. Subsequently I purchased individually Lot 53 in Block 18 as reflected in Deed index 2016056700. I purchased as a co-tenant with John B. Benkenstein Jr. Lot 54 in Block 18 as reflected in Deed reference 2022040491. I transferred to Patricia Lynn Phillips Lot 27 Block 15 and Lot13 Block 15 as reflected in Deed index 2024016939.

As property owners of the previously identified lots I am requesting the abandonment of the following described section of Loop Drive to leave it connected to Marydean St with a continuous ROW as reflected in the Baker and Lawson Survey dated 6/24/2024 of a 0.275 ac tract that is attached to this letter requesting Petition to Abandon.

I am authorized to request that the abandoned ROW be transferred to me as Michael M. Phillips Trustee so that subsequent a subsequent transfer can be accomplished to Patricia Lynn Phillips and John B. Benkenstein Jr as per existing agreements between landowners.

As I cannot see any future value in a road at this location and an unmaintained easement could cause a security issue, I would like to petition the county to abandon this road easement.

I can be reached by phone at (979) 849-4382 or e-mail at michael@mphillipslaw.com. Once you have completed an initial review of this location its abandonment will be justified. Currently, this property is not in the extraterritorial jurisdiction of any city and will be only subject to the Brazoria County Commissioners Court for execution of the abandonment decision.

I certainly appreciate the time that you will provide me and my clients in review of this request.

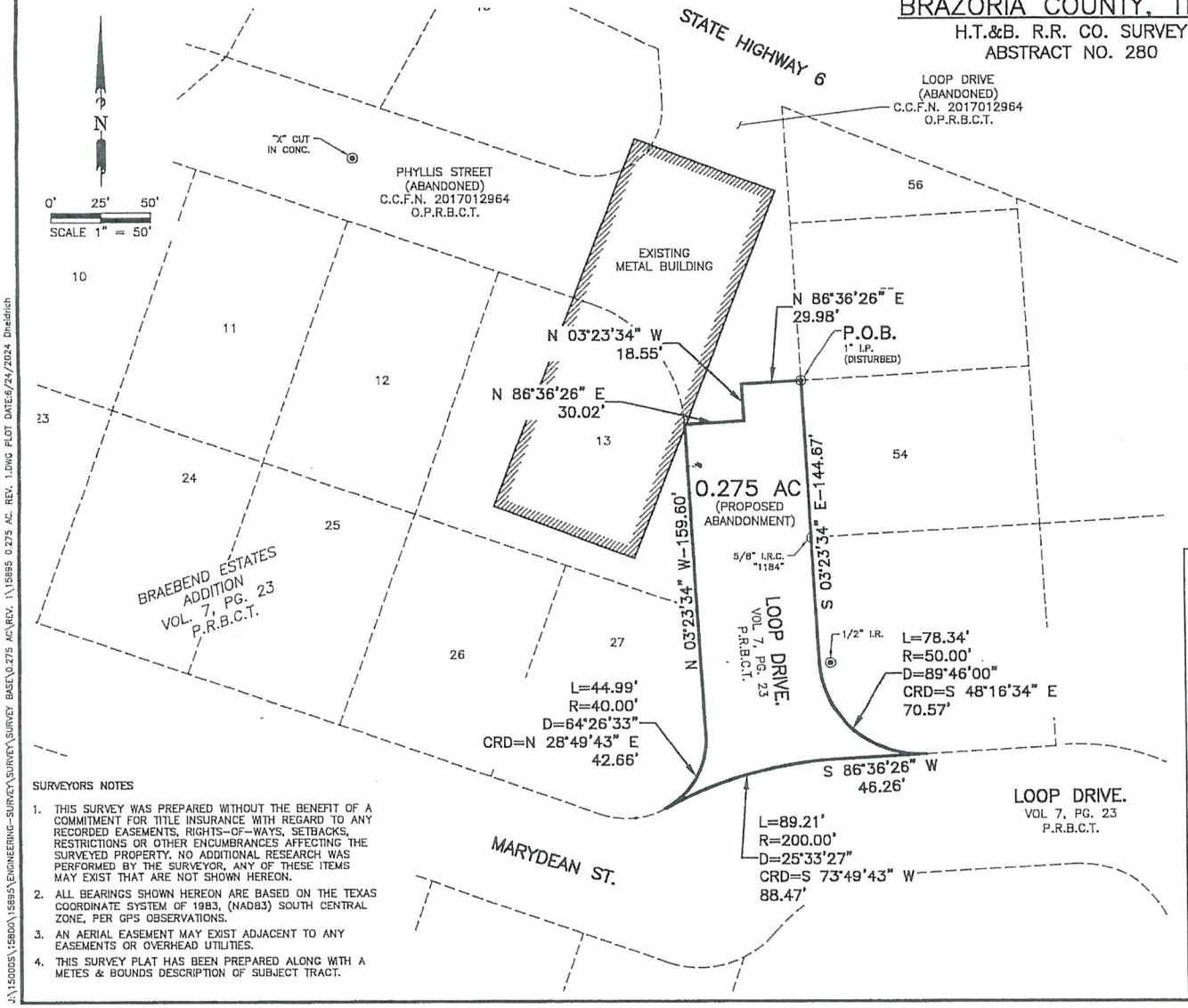
Very truly yours,

Michael M. Phillips

MMP/EMM:
Enclosures

BRAZORIA COUNTY, TEXAS

H.T.&B. R.R. CO. SURVEY
ABSTRACT NO. 280



LEGEND

O.P.R.B.C.T.	=	OFFICIAL PUBLIC RECORDS BRAZORIA COUNTY, TEXAS
D.R.B.C.T.	=	DEED RECORDS BRAZORIA COUNTY, TEXAS
P.R.B.C.T.	=	PLAT RECORDS BRAZORIA COUNTY, TEXAS
C.C.F.N.	=	COUNTY CLERK'S FILE NUMBER
VOL, PG.	=	VOLUME, PAGE
O	=	5/8" I.R.C. SET "BAKER & LAWSON"
◉	=	FOUND MONUMENT (AS NOTED)
I.R.	=	IRON ROD
I.R.C.	=	IRON ROD W/CAP
I.P.	=	IRON PIPE
X	=	X IN CONCRETE
P.O.B.	=	POINT OF BEGINNING

I, DARREL HEIDRICH, DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND CORRECTLY REPRESENTS THE FACTS AS FOUND.

Darrel Heidrich 6/24/2024

DARREL HEIDRICH
REGISTERED PROFESSIONAL LAND SURVEYOR
LAND SURVEYOR NO. 5378

STATE OF TEXAS REGISTERED DARREL HEIDRICH 5378 PROFESSIONAL LAND SURVEYOR

SURVEYORS NOTES

1. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE WITH REGARD TO ANY RECORDED EASEMENTS, RIGHTS-OF-WAYS, SETBACKS, RESTRICTIONS OR OTHER ENCUMBRANCES AFFECTING THE SURVEYED PROPERTY. NO ADDITIONAL RESEARCH WAS PERFORMED BY THE SURVEYOR, ANY OF THESE ITEMS MAY EXIST THAT ARE NOT SHOWN HEREON.
2. ALL BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, (NAD83) SOUTH CENTRAL ZONE, PER GPS OBSERVATIONS.
3. AN AERIAL EASEMENT MAY EXIST ADJACENT TO ANY EASEMENTS OR OVERHEAD UTILITIES.
4. THIS SURVEY PLAT HAS BEEN PREPARED ALONG WITH A METES & BOUNDS DESCRIPTION OF SUBJECT TRACT.

SURVEY PLAT
0.275 ACRE
A PORTION OF LOOP DRIVE
BRAEBEND ESTATES ADDITION
VOL. 7, PG. 23
P.R.B.C.T.

H.T.&B. R.R. CO. SURVEY
ABSTRACT NO. 280
BRAZORIA COUNTY, TEXAS

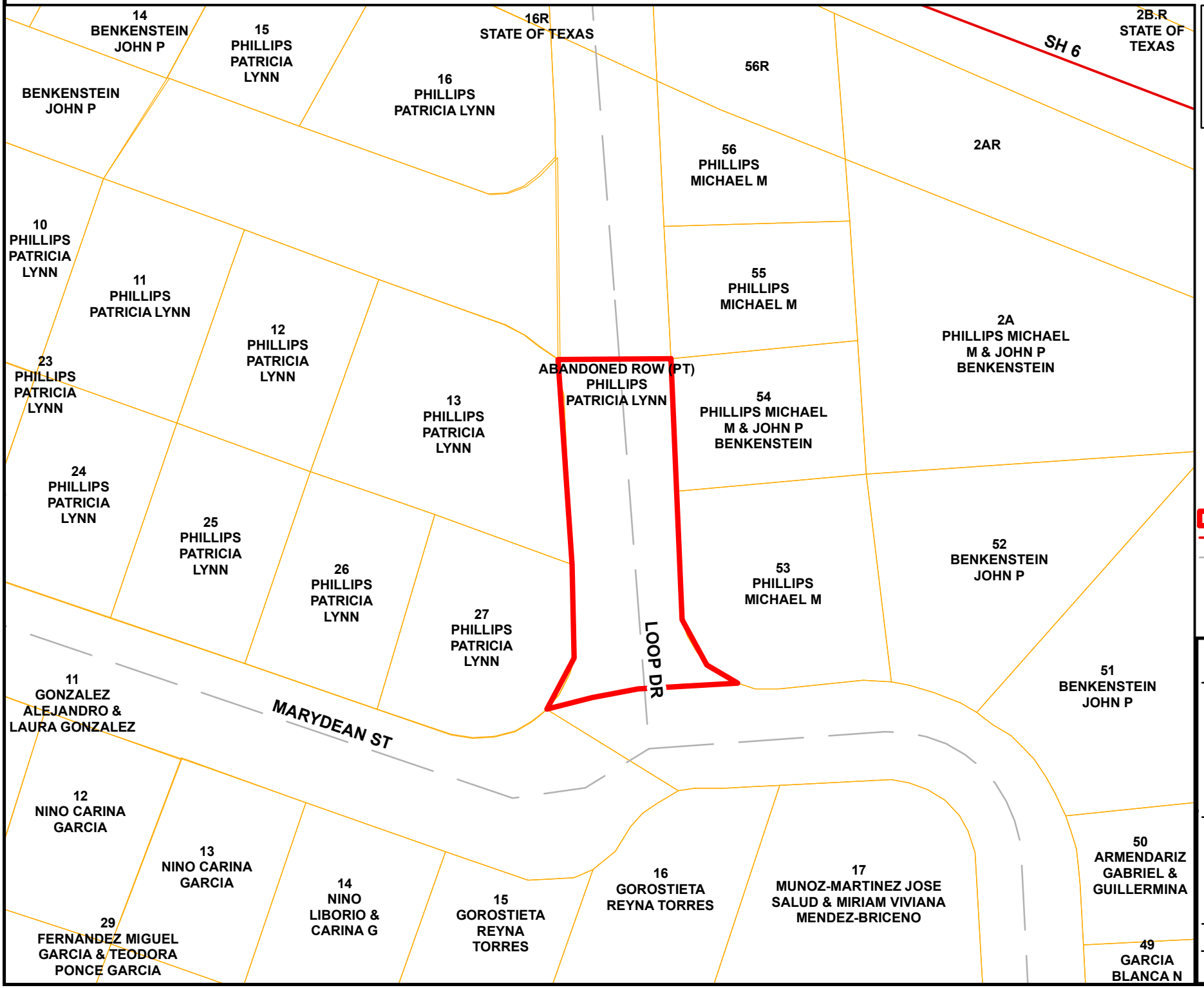
BAKER & LAWSON, INC.
ENGINEERS PLANNERS SURVEYORS

Baker & Lawson Inc.
4005 Technology Dr., Suite 1530
Angleton, TX 77515
Phone # 979-849-6681
www.bakerlawson.com
Licensed Surveying Firm No. 10052500

DRAWING NO.: 15895 0.275 AC. REV. 1		DRAWN BY: DH	CKED BY: AH
JOB NO.: 15895	SCALE: 1" = 50'	DATE: 6/24/2024	REV. NO. 1

J:\15000S\15800\15895\ENGINEERING-SURVEY\SURVEY\SURVEY BASE\0.275 AC\REV. 1\15895 0.275 AC. REV. 1.DWG PLOT DATE:6/24/2024 Dheidrich

Exhibit A



Brazoria County
Engineering

Loop Dr
Abandonment

For Partial Cancellation of this Subdivision
see Deed Vol. 1005 pg 253 and Commissioners'
Court Minutes Vol. 7 pg. 190A.

42116

FT. BEND COUNTY
BRAZORIA COUNTY

N 31°59' E

S 88°42'50" E 933.22'

North 553.20'

North 1983.90'

S 57°50'40" E 1208.85'

STATE HIGHWAY NO. 6

N 14°37'20" E 866.32'

N 67°23'20" W 2836.40'

N 67°23'20" W 4459.10'

S 0°01'10" E 1113.73'

South 883.08'

West 2478.79'

S 89°57'40" W 2636.84'

13.35 Acre Canal Easement not included in Subdivision

BLOCK 1 · BLOCK 2 · BLOCK 3 · BLOCK 4 · BLOCK 5 · BLOCK 6 · BLOCK 7 · BLOCK 8 · BLOCK 9 · BLOCK 10 · BLOCK 11 · BLOCK 12 · BLOCK 13 · BLOCK 14 · BLOCK 15 · BLOCK 16 · BLOCK 17 · BLOCK 18 · BLOCK 19 · BLOCK 20 · BLOCK 21 · BLOCK 22 · BLOCK 23 · BLOCK 24 · BLOCK 25 · BLOCK 26 · BLOCK 27 · BLOCK 28 · BLOCK 29

MARTHA DRIVE · POREEN DRIVE · VISTA DRIVE · MILDRED STREET · KATHY STREET · PHYLLIS STREET · JAN DRIVE · GAY DRIVE · MARYDEAN STREET · DOLORES STREET · DULICK DRIVE · HEFFELFINGER DRIVE · ROBERTSON STREET · SMITH STREET · LAWSON STREET · ADAM STREET · HOGAN DRIVE

10' Utility Easement · 5' Utility Easement · 22' Utility Easement

G.C. & S.F. RR. 7

EXISTING COUNTY ROAD 384 40' WIDE

Lot 1 · Lot 2 · Lot 3 · Lot 4 · Lot 15 · Lot 16 · Lot 17

2.5' · 50' · 33.59' · 18.36' · 100.2' · 13.35'

SKETCH SHOWING POWERLINE EASEMENT
in Lots 2 & 3, Block 15
Scale: 1"=60'

N

FORT BEND COUNTY · HARRIS COUNTY · BRAZORIA COUNTY · GALVESTON COUNTY
BRAEBEND ESTATES · Pearland · Manvel · Alvin
To Houston · To Angleton · State Highway No. 288 · State Highway No. 35 · State Highway No. 6
0 1 2 3 4 5 MILES

VICINITY MAP

All block corners and outside boundary corners
are marked with iron pipe or iron rod
All streets are 60' wide unless otherwise noted.

Approved: 9-24-55 Ruby L. Rosier
Ruby L. Rosier - Plat Book Recorder

I, F.G. Akers, County Surveyor of Brazoria County and Licensed Land Surveyor in the State of Texas, do hereby certify that this plat is true and correct in accordance with a survey made on the ground.

F. G. Akers
F. G. Akers

Approved this the 26 day of Sept. 1955
by the Commissioners Court of Brazoria County, Texas

County Judge
Comm. Prect. 1
Comm. Prect. 2
County Engineer
Comm. Prect. 3
Comm. Prect. 4

We, J.E. Kutscher and Harry V. Dulick, do hereby certify that we are the owners of the 199.84 acres of land being subdivided as Braebend Estates Addition.

J. E. Kutscher
J. E. Kutscher

Harry V. Dulick
Harry V. Dulick

C. J. Heffelfinger
by C. J. Heffelfinger, Agent

Corrected Plat

BRAEBEND ESTATES ADDITION

BEING A SUBDIVISION OF 199.84 ACRES IN BRAZORIA & FORT BEND COUNTIES COMPRISING 15.59 ACRES IN A.C.H.&B. SURVEY, SECTION 1, ABSTRACT 403, & 184.25 ACRES IN H.T.&B. R.R. CO. SURVEY, SECTION 69, ABSTRACT 280.
BRAZORIA COUNTY, TEXAS
Scale: 1"=200'
July 23, 1955

Original Plat Recorded Vol. 7 Page 13 Plat Records
Dedication Recorded Vol. 628 Page 80 Deed Records
Restrictions Recorded Vol. 628 Page 82 Deed Records

2016056700 DEED
Total Pages: 3 AC

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

WARRANTY DEED

Date: Effective November 3, 2016

Grantor: JESSE DUARTE, JR.

Grantor's Mailing Address (including county):

1715 Mosher Lane
Houston, TX 77088
Harris County

Grantee: MICHAEL M. PHILLIPS

Grantee's Mailing Address (including county):

P.O. Box 1030
Angleton, TX 77516-1030
Brazoria County

Consideration: TEN AND NO/100 DOLLARS and other good and valuable consideration.

Property (including any improvements):

Lot Fifty Three (53) in Block Eighteen (18) of Braebend Estates Addition, Brazoria County, Texas, a subdivision recorded in Volume 7, on pages 23 and 24 in the County Clerk's Office, Brazoria County, Texas. SUBJECT to easements and restrictions on record.

Reservations From and Exceptions to Conveyance and Warranty:

Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded instruments, other than liens and conveyances, that affect the property; taxes for the current year, the payment of which Grantee assumes.

Grantor, for the consideration, receipt of which is acknowledged, and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee all the described property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, successors, and assigns to warrant and forever defend all and singular

the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

JESSE DUARTE, JR.

ACKNOWLEDGEMENT

STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on this the 8th day of November, 2016, by Jesse Duarte, Jr.

ANN L THOMPSON
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES
JUNE 13, 2018

Notary Public, the State of Texas

AFTER RECORDING RETURN TO:

Michael M. Phillips
P.O. Box 1030
Angleton, Texas 77516-1030

FILED and RECORDED

Instrument Number: 2016056700

Filing and Recording Date: 11/17/2016 01:08:42 PM Pages: 3 Recording Fee: $30.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-regina

FILED BY
NORTH STAR TITLE COMPANY

2022040491 Total Pages: 4

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

THE STATE OF TEXAS)
COUNTY OF BRAZORIA)

KNOW ALL MEN BY THESE PRESENTS: THAT HECTOR BARRERA and wife, MARIA O. BARRERA (Grantors), for and in consideration of the sum of Ten and No/100 Dollars ($10.00) and other valuable consideration to the undersigned paid by the grantees herein named, the receipt of which is hereby acknowledged, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto MICHAEL M. PHILLIPS (Grantee) as his sole and separate property and estate of Brazoria County, Texas, with an address at 515 N. Velasco St., Angleton, Texas 77515 and John B. Benkenstein Jr. (Grantee), as his sole and separate property and estate, of Brazoria County, Texas with an address at 15100 Highway 6, Rosharon Texas 77583, share and share alike all of the following described real property, together with all improvements situated thereon, in Brazoria County, Texas, to-wit:

> Lot Fifty-Four (54) in Block Eighteen (18) of Braebend Estates Addition, Brazoria County, Texas, a subdivision recorded in Volume 7, on Pages 23 and 24 in the County Clerk's Office, Brazoria County, Texas.
>
> This is the same tract transferred to Grantors on February 10, 2004, by Warranty Deed, and recorded in the Official Records of Brazoria County, Texas indexed as Doc# 2004009278

THIS CONVEYANCE IS MADE AND ACCEPTED SUBJECT to the following matters to the extent same are in effect at this time; any and all restrictions, covenants, conditions, easements, mineral or royalty reservations and leases, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the public records of

Brazoria County, Texas; and to all observable or prescriptive easements, zoning laws, regulations and ordinances of municipal and/or other governmental authorities if any, but only to the extent that they are still in effect, relating to the hereinabove described property.

TO HAVE AND TO HOLD the above-described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantees, their heirs, executors, administrators, and assigns forever; and we do hereby bind ourselves, our heirs, executors, and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantees, their heirs, executors, administrators, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 5TH day of JULY, 2022.

HECTOR BARRERA

MARIA O. BARRERA

THE STATE OF TEXAS)
COUNTY OF BRAZORIA)

This instrument was acknowledged before me on July 5th, 2022

by MARIA O. BARRERA, a person known to me.

TAYLOR A HOLLY
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 06/05/24
NOTARY ID 12901487-7

Notary Public, Sate of Texas

THE STATE OF TEXAS)
COUNTY OF BRAZORIA)

This instrument was acknowledged before me on July 5th, 2022

by HECTOR BARRERA, a person known to me.

TAYLOR A HOLLY
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 06/05/24
NOTARY ID 12901487-7

Notary Public, Sate of Texas

FILED and RECORDED

Instrument Number: 2022040491

Filing and Recording Date: 07/07/2022 01:54:33 PM Pages: 4 Recording Fee: $39.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-emily

2024016939
Total Pages: 15 AM

Notice of confidentiality rights: if you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your social security number or your driver's license number.

WARRANTY DEED

Date: February 24, 2024

Grantor: Michael M Phillips

Grantor's Mailing Address:
515 N. Velasco St.
Angleton, Texas 77515

Grantee: Patricia Lynn Phillips

Grantee's Mailing Address:
140 Phillips Lake Rd.
Angleton, Texas 77515

Consideration: For and in fulfillment of a division of property in divorce, in cause number 77026-F pending in the 300th Judicial District, Brazoria County, Texas, and for other good and valuable consideration receipt of which is acknowledged and confessed, Michael M. Phillips does hereby grant, sell, and convey, free of all liens and encumbrances (exclusive of unpaid ad valorem property tax for 2023 and the current year. Brazoria County Appraisal District account no. 192511.), unto Patricia L. Phillips the following real property, to have and to hold, together with all rights, improvements and attachments therein and thereto:

ADDRESSES: 15118 and 15122, Highway 6, Rosharon, Texas 77583

Property (including any improvements):
Tract I
All my interest in:

Lot 16 in Block 14 save and except that portion of said Lot sixteen (16), Block Fourteen (14) conveyed to the State of Texas by Deed recorded under the Brazoria County Clerk's File No. 92-02414; Lots 23 (less any common sewer drain field use by John P. Benkenstein and his heirs), 24, 26 and 27, in Block 15; of the Corrected Plat of Braebend Estates Addition, Brazoria County, Texas, according to the Plat recorded in Volume 7, pages 23-24 of the Plat Records of Brazoria County, Texas. This is part of the same tract

transferred to the undersigned in Brazoria County Deed Index 2024007178 filed February 20, 2024.

Tract II

All my interest in:

Tract 1

Lot Fifteen (15), in Block Fourteen (14), SAVE AND EXCEPT that portion of said Lot Fifteen (15), Block Fourteen (14) conveyed to the State of Texas by Deed recorded under the Brazoria County Clerk's File No. 92-02414

Tract 2

The Easterly one-half (1/2) of Lot Ten (10) in Block Fifteen (15) described by metes and bounds as follows-to-wit:

A TRACT OR PARCEL OF LAND CONTAINING 0.1194 ACRE BEING THE EASTERLY HALF OF LOT 10, BLOCK 15 OF BRAEBEND ESTATES IN THE H.T. AND B. RAIL ROAD COMPANY SURVEY, SECTION 69, ABSTRACT 280 IN BRAZORIA COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 7, PAGE 23 AND 24 IN THE COUNTY CLERK'S OFFICE OF BRAZORIA COUNTY SAID 0.1194 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED MY METES AND BOUNDS AS FOLLOWS TO WIT:

BEGINNING at a 3/8 inch iron rod set with cap marking the Southeast corner of Lot 10 and the Southwest corner Lot 11 marking the Northeast corner of Lot 23 and the Northwest corner of Lot 24;

THENCE North 67 degrees is 16 minutes and 25 seconds West with the Southerly line of Lot 10 and the North line of Lot 23 a distance of 40.00 ft. to a 3/8 inch iron rod set at the Southwest corner of the herein described tract and being the mid-point in the South line of Lot 10;

THENCE North 22 degrees 43 minutes 35 seconds East with the mid line of Lot 10 and crossing over said Lot 10 a distance of 130.00 ft. to a X mark in concrete set at the Northwesterly corner of the herein described tract and being the mid-point in the North boundary of Lot 10;

THENCE South 67 degrees 16 minutes 25 seconds East with the South right-of-way of Phyllis Street a distance of 40.00 ft. to a point at the Northeast corner of Lot 10 and the Northwest corner of Lot 11 (unable to set);

THENCE South 22 degrees 43 minutes 35 seconds West with the division line between Lots 10 and 11 a distance of 130.00 ft. to the PLACE OF BEGINNING and containing 0.1194 acre of land.

Tract 3
Lots Eleven (11), Twelve (12) and Thirteen (13) less and except as to Lot Thirteen (13) the eastern portion of said lot that is a boundary that extend parallel on said Lot 13, and 50 feet east of the eastern sidewall of the 100 ft. x 150 ft. building situated on said lot, said boundary extending from the north and south lot lines of said Lot 13, in Block Fifteen (15), of the Corrected Plat of Braebend Estates Addition, a Subdivision in Brazoria County, Texas according to the map or plat thereof recorded in Volume 7, Pages 23-24, of the Plat Records of Brazoria County, Texas.

This is part of the same tract transferred to the undersigned in Brazoria County Deed Index 2024007179 filed February 20, 2024.

Tract III

All my interest in:

Part of a tract of real property conveyed to Michael M. Phillips Trustee by Brazoria County Commissioners' Court March 14, 2017, recording in Brazoria County Misc. Number 2017012964 recorded at Deed Official Number 2015002961 and specifically described in Exhibit "A". (See Exhibit "A" attached hereto and incorporated herein for all purposes.) Less and excerpt the real property described in a Special Warranty Correction Deed dated May 8, 2020, and recorded in Brazoria County Deed Record 2020031140 conveying a 0.1993 acre tract (called "3") but specifically including in this conveyance the ownership of a 1/2 interest in a water well subject to cost allocations as is specifically reserved to Grantor in said Special Warranty Correction Deed. This is the same tract transferred to the undersigned in Brazoria County Deed index 2024007180.

Tract IV

All my interest in:

Lot 25, Block 15, of the corrected plat of Braebend Estates addition, according to the recorded map or plat thereof recorded in Volume 7, Pages 23-24 of the plat records of Brazoria County, Texas. This is the same tract transferred to the undersigned in Brazoria County Deed Index 2014032538 on August 1, 2014.

NOW THEREFORE:

Grantor, for the consideration and subject to the reservations from conveyance and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee all of Grantor's interest in the property, together with all and singular the rights and appurtenances thereto in

any way belonging, **TO HAVE AND TO HOLD IT** to Grantee and Grantee's heirs, executors, administrators, and assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and assigns to warrant and forever defend all singular the property to Grantee and Grantee's heirs, executors, administrators, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof except as to the reservations from conveyance and exceptions to conveyance and warranty.

Reservations from Conveyance and Exceptions to Conveyance and Warranty:

Grantor reserves no interest in any oil, gas, and other minerals in and under and that may be produced from the property.

This conveyance is made and accepted subject to the following matters, to the extent same are in effect at this time, any and all restrictions, covenants, conditions and easements, if any relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect, relating to the hereinabove described property.

The Grantor makes no warranty, express or implied, concerning the Property's condition, need of repair, existence or absence of any defects, visible, hidden, latent or otherwise. The Grantor hereby disclaims any and all warranties, express or implied concerning the Property's workmanship. The Grantor states that there are not implied warranties of any kind, including but not limited to warranties of merchantability or fitness for a particular purpose. The Grantor delivers the Property to the Grantee "as is" and "with all faults".

RIGHT OF FIRST REFUSAL

1. It is further understood and agreed that as a condition for this Partition Deed, Patricia L. Phillips, by her acceptance of this Partition Deed, for herself, her heirs and assigns, agrees to be bound by the following provision which shall apply if Patricia L. Phillips desires to sell all or any portion of her interest in the above described property hereafter referred to as "subject property". In the event Patricia L. Phillips has a bona fide offer from a third party to purchase said "subject property", or any portion thereof, Patricia L. Phillips shall notify Michael M. Phillips, his heirs, executors, and assigns in writing, and from the date said notice is given, said Grantor, Michael M. Phillips shall have 120 days in which to either match the bona fide offer from the third party or to allow said Patricia L. Phillips to sell to said third party according to the terms of said offer. In the event Michael M. Phillips, his heirs and/or assigns decide to match the offer, he shall notify Patricia L. Phillips of said fact in writing prior to the end of the 120 day option, said writing between the parties hereto

may be by hand delivery, certified mail effective on the date of mailing to the last known address of Patricia L. Phillips, and/or e-mail to the email address of Patricia L. Phillips and thereafter Patricia L. Phillips and said Michael M. Phillips shall execute an earnest money contract for the sale of the "subject property" on the same terms as said bona fide offer from the third party. In the event Michael M. Phillips does not notify Patricia L. Phillips of his intent to match said bona fide offer within said 120 days of receipt of his notification, said Patricia L. Phillips thereafter shall have the right to sell her interest in the property to the third party who has made the bona fide offer. This Right of First Refusal precedes the existing right of first refusal contractually owned by Real Excellence Inc. D/B/A Future All-Stars Developmental Academy, and Core Media Group a tenant leasing the majority of the "subject property".

2. Real Excellence Inc. D/B/A Future All-Stars Developmental Academy, and Core Media Group currently leases the majority of the "subject property". Pursuant to two existing leases for 15122 Highway 6 and 15118 Highway 6 which pursuant to Section 4 TERM subsection A both leases end on June 30th, 2026, subject to a 60 month renewal described in subsection B and a Right of First Refusal described in section C which the parties executing the two described lease agreements agreed would include the entire "subject property" in the described Right of First Refusal.

EXISTING LEASES

1. Grantee has been furnished duplicate signed copies of a lease of the majority of the building constructed on property located at 15122 Highway 6, Rosharon, TX 77583 and a duplicate signed copy of a lease of all buildings and improvements located at 15118 Highway 6, Rosharon, TX 77583 executed by Michael M. Phillips Attorney and Real Excellence Inc. D/B/A Future All-Stars Developmental Academy, and Core Media Group. These are unrecorded leases are binding and effective upon Grantee as a condition of this conveyance. This conveyance is made contingent upon the tenant's right to occupy said property while fully performing the terms of said leases. The said lease for 15122 Highway 6 erroneously identified Bay 1 as Bay 3. Bay 3 is leased to Brazoria County Emergency Service District No. 3.

2. Grantee has been furnished duplicate signed copies of a lease dated effective December 1, 2019, and a later executed Addendum made in order to supplement that certain Lease Agreement ("lease"), dated November 15, 2019, by and between The Michael M. Phillips Law Firm, P.C. ("landlord") and Brazoria County Emergency Service District #3 ("tenant"). The Addendum was signed November 24, 2020, by Michael M. Phillips Attorney (landlord) (Correcting an error in the identity of the actual owner of the leased premises and Landlord) and executed November 9, 2020, by Brazoria County

Emergency Service District #3 Board President, Darrel Yalusek. Said lease terminates November 30, 2029.

When the context requires nouns and pronouns include the plural.

Grantee assumes all ad valorem taxes due on the property for 2023 and for the current year.

Witness my hand this 24th day of February, 2024.

MICHAEL M. PHILLIPS TRUSTEE

State of Texas §
§
County of Brazoria §

Before me, the undersigned authority, on this day personally appeared Michael M. Phillips, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this 24 day of February 2024.

EMILY MARIE MARTINEZ
Notary Public, State of Texas
Comm. Expires 12-05-2026
Notary ID 134091409

Notary Public In and For
The State of Texas

AFTER RECORDING RETURN TO:
The Michael M. Phillips Law Firm, P.C.
515 N. Velasco
Angleton, TX 77515

2017012964 MISC
Total Pages: 7 AC

CERTIFIED COPY
BRAZORIA COUNTY COMMISSIONERS' COURT

ORDER NO. 8.G.1 **RE: CORRECT COURT ORDER VII.A.10.B., DATED APRIL 9, 2013 (PRECINCT 4)**

Whereas, Court Order VII.A.10.b., dated April 9, 2013 served to Close, Vacate, and Abandon a Public road and its rights-of-way known as Phyllis Street and Loop Drive being located between Block 14, Block 15, and Block 18 of the Braebend Estates Subdivision in the A.C.H.&B. Survey, Section 1, Abstract 403 and in the H.T.&B. RR Company Survey, Section 69, Abstract 280, Brazoria County, Texas according to the plat recorded in Volume 7, Page 23 of the Plat Records of Brazoria County, Texas (Precinct 4); and

Whereas, the Court finds that the requisites of Texas Transportation Code 251.051 - Closing, Vacating and Abandoning Public Road - have been met in regards to a portion of a Public Road and its right-of-way known as Phyllis Street and Loop Drive; and

Whereas, the Court finds that no apparent public interest would be served by retaining the portion of the public road and its right-of-way; and

Whereas, the Court finds that this conveyance is subject to the continued use by the public utility or common carrier of utility infrastructure as set forth in Section 251.058(f) located in the road right-of-way and in existence prior to the date this Order is approved; and

Pursuant to Texas Transportation Code, Section 251.058 - Closing, Abandoning, and Vacating Public Road - title to a portion of Phyllis Street and Loop Drive, shall vest on this date to the owners of the property that abuts the portion of Phyllis Street and Loop Drive being closed, abandoned, and vacated as follows:

Property Owner	**Recorded Deed**
Michael M Phillips Trustee	2015 002961

The Section and or Dimensions being granted and conveyed to the property owner shall be the portion of Phyllis Street and Loop Drive identified on Exhibit "A" attached hereto.

RECORDER'S MEMORANDUM:
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon, or photo-copy, discolored paper, etc. All blockouts, additions and changes were present at the

CERTIFIED COPY - COMMISSIONERS' COURT MARCH 14, 2017

The County, as Grantor, hereby grants and conveys unto to the respective property owner as Grantee, the section as set forth on the attached Exhibit "A".

Pursuant to Texas Transportation Code, Section 251.058(b), the County Clerk is hereby ordered to file a copy of this Order in the Official Records of Brazoria County. This document shall serve as the official instrument of conveyance from the County to the owner of the abutting property.

Further Ordered that a copy of this order be sent to the County Engineering Department

RESULT:	**PASSED BY CONSENT VOTE [UNANIMOUS]**
MOVER:	David R. Linder, Commissioner
SECONDER:	Stacy L. Adams, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, Commissioner Linder

STATE OF TEXAS §

COUNTY OF BRAZORIA §

I, Joyce Hudman, Clerk County Court and Ex-Officio Clerk of the Commissioners' Court of Brazoria County, Texas, do hereby certify that the foregoing is a true and correct copy of that certain:

ORDER NO. 8.G.1 **RE: CORRECT COURT ORDER VII.A.10.B., DATED APRIL 9, 2013 (PRECINCT 4)**

as passed by the Commissioners' Court on the 14th day of MARCH, A.D., 2017, Regular Session Term of Commissioners' Court and as the same appear(s) in the Commissioners' Court Records of Brazoria County, Texas.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 16th DAY OF MARCH, A. D., 2017.

JOYCE HUDMAN, Clerk County Court
and Ex-Officio Member of the Commissioners' Court of Brazoria County, Texas

By: _____
M. Trevino, Deputy

Date: 4/9/2013

THE REGULAR COMMISSIONERS COURT SESSION OF BRAZORIA COUNTY, TEXAS

ORDER NO. VII.A.10.b.

RE: Close, Discontinue, Vacate and Abandon a Portion of Right-Of-Way of Phyllis Street and Loop Drive, between Block 15, 16, and 18 in Braebend Estates Subdivision in Section 69 of the HT&B Survey, Abstract 280 (Precinct 4)

The Court finds that the requisites of Texas Transportation Code 251.051 – Closing, Abandoning, and Vacating Public Road – have been met in regards to a portion of right-of-way of Phyllis Street and Loop Drive, between Block 15, 16, and 18 in Braebend Estates Subdivision in Section 69 of the HT&B Survey, Abstract 280 (Precinct 4).

Further, said road right-of-way was granted to Brazoria County by the plat recorded in Volume 7, Page 23 of the Plat Records of Brazoria County, Texas; and

Further, the court finds that no apparent public interest would be served by retaining the right-of-way; and

Therefore, pursuant to Chapter 251.051, Transportation Code, this Court hereby orders that the portion of right-of-way of Phyllis Street and Loop Drive, between Block 15, 16, and 18 in Braebend Estates Subdivision in Section 69 of the HT&B Survey, Abstract 280, as recorded in Volume 7, Page 23 of the Plat Records of Brazoria County, Texas; hereby described as shown in the attached Exhibit "A" be closed, discontinued, vacated and abandoned.

It is further ordered that pursuant to Texas Transportation Code, Section 251.058 a copy of this order shall be filed in the deed records of the County Clerk and shall serve as the official instrument of conveyance from the County to the owner(s) of the abutting property as provided in Section 251.058(b).

Further, that a certified copy of this Order be furnished to the County Engineer.

STATE OF TEXAS, COUNTY OF BRAZORIA
I do hereby certify that the foregoing is a true and correct copy as passed in the Commissioners' Court Minutes of Brazoria County, Texas.
Given under my hand and seal of the Court in my lawful custody and possession.
JOYCE HUDMAN, Brazoria County Clerk and Ex-Officio Member of Commissioners' Court
By _____ Deputy

8.G.1.a

Exhibit A
Page 4 of 8

Packet Pg. 93

Packet Pg. 94

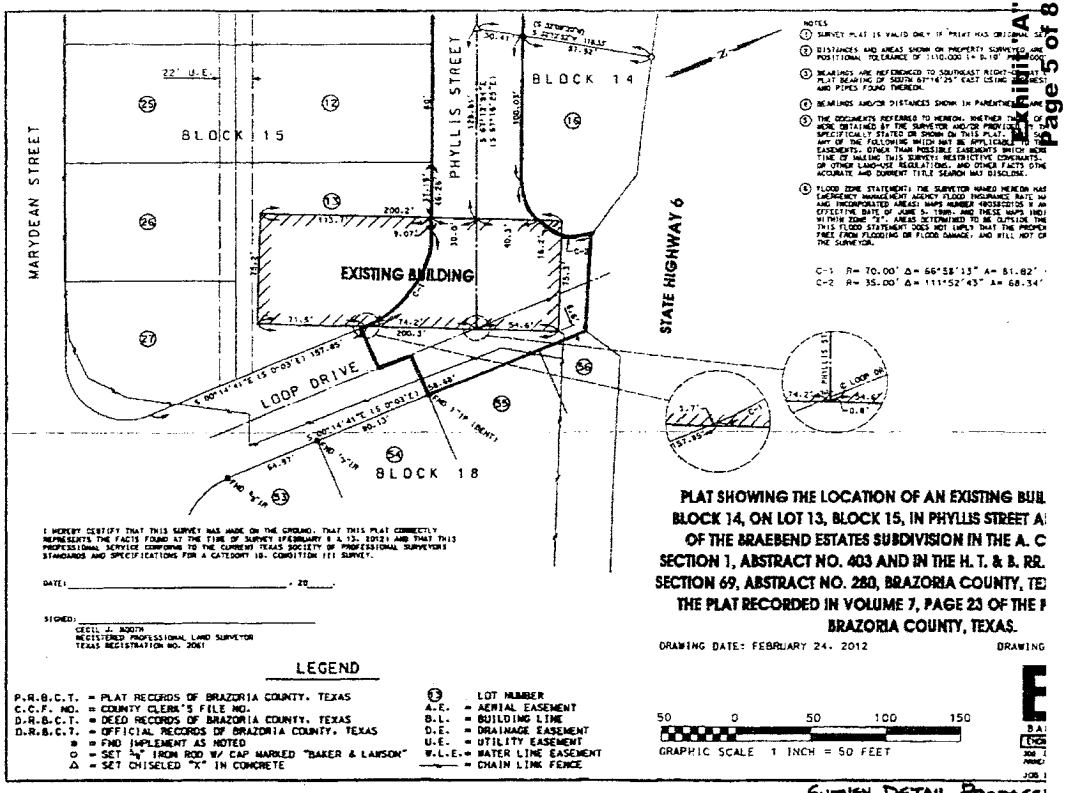

MARYDEAN STREET
PHYLLIS STREET
STATE HIGHWAY 6
LOOP DRIVE
BLOCK 15
BLOCK 14
BLOCK 18
EXISTING BUILDING
22' U.E.
200.2'
200.3'
135.1'
100.07'
30.0'
40.3'
54.6'
31.5'
14.2'
9.07'
16.26'
S 80°14'41" E 15.0'±
S 80°14'41" E 157.85'
S 80°14'41" E 15.0'±
S 80°14'41" E 80.13'
FND 5/8"
64.97'
NOTES
1) SURVEY PLAT IS VALID ONLY IF PRINT HAS ORIGINAL SEAL
2) DISTANCES AND AREAS SHOWN ON PROPERTY SURVEYED ARE POSITIONAL TOLERANCE OF 1:10,000 +/- 0.10' PER 1,000'
3) BEARINGS ARE REFERENCED TO SOUTHEAST RIGHT-OF-WAY PLAT BEARING OF SOUTH 87°14'25" EAST USING MONUMENTS AND PIPES FOUND THEREON.
4) BEARINGS AND/OR DISTANCES SHOWN IN PARENTHESES ARE
5) THE DOCUMENTS REFERRED TO HEREON, WHETHER THEY OF MORE OBTAINED BY THE SURVEYOR AND/OR PROVIDED SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THE SURV ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE: TO THE EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH MORE TIME OF MAILING THIS SURVEY; RESTRICTIVE COVENANTS, OR OTHER LAND-USE REGULATING, AND OTHER FACTS OTHE ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
6) FLOOD ZONE STATEMENT: THE SURVEYOR NAMED HEREON HAS EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MA AND INCORPORATED AREAS) MAPS NUMBER 48039C0135 G W EFFECTIVE DATE OF JUNE 5, 1996, AND THESE MAPS INDI WITHIN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPER FREE FROM FLOODING OR FLOOD DAMAGE, AND WILL NOT CR THE SURVEYOR.
C-1 R= 70.00' Δ= 66°58'13" A= 81.82'
C-2 R= 35.00' Δ= 111°52'43" A= 68.34'
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND; THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY (FEBRUARY 8 & 13, 2012) AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1B, CONDITION III SURVEY.
DATE: _____, 20____.
SIGNED: _____
CECIL J. BOOTH
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 3061
LEGEND
P.R.B.C.T. = PLAT RECORDS OF BRAZORIA COUNTY, TEXAS
C.C.F. NO. = COUNTY CLERK'S FILE NO.
D.R.B.C.T. = DEED RECORDS OF BRAZORIA COUNTY, TEXAS
O.R.B.C.T. = OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS
● = FND IMPLEMENT AS NOTED
○ = SET ⅝" IRON ROD W/ CAP MARKED "BAKER & LAWSON"
△ = SET CHISELED "X" IN CONCRETE
13 = LOT NUMBER
A.E. = AERIAL EASEMENT
B.L. = BUILDING LINE
D.E. = DRAINAGE EASEMENT
U.E. = UTILITY EASEMENT
W.L.E. = WATER LINE EASEMENT
———— = CHAIN LINK FENCE
50 0 50 100 150
GRAPHIC SCALE 1 INCH = 50 FEET
PLAT SHOWING THE LOCATION OF AN EXISTING BUIL
BLOCK 14, ON LOT 13, BLOCK 15, IN PHYLLIS STREET A
OF THE BRAEBEND ESTATES SUBDIVISION IN THE A. C
SECTION 1, ABSTRACT NO. 403 AND IN THE H. T. & B. RR.
SECTION 69, ABSTRACT NO. 280, BRAZORIA COUNTY, TE
THE PLAT RECORDED IN VOLUME 7, PAGE 23 OF THE P
BRAZORIA COUNTY, TEXAS.
DRAWING DATE: FEBRUARY 24, 2012
DRAWING
SURVEY DETAIL PROPOSE

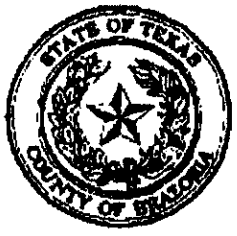
Exhibit "A"
Page 6 of 8

FILED and RECORDED

Instrument Number: 2017012964

Filing and Recording Date: 03/16/2017 03:43:31 PM Pages: 7 Recording Fee: $0.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-nygtra

LESS AND EXCEPT:

MEETS AND BOUNDS DESCRIPTION OF 0.1943 ACRE TRACK-3

A TRACT OR PARCEL OF LAND CONTAINING 0.1943 ACRE TRACT BEING A PART OF PHYLLIS STREET, (60 FT. RIGHT-OF-WAY) ADJOINING LOTS 13 AND 14, BLOCK 14, ADJOINING LOT 9 AND A PART OF LOT 10, BLOCK 15 OF BRAEBEND ESTATES SUBDIVISION AND DELINEATED ON MAP OR PLAT THEREOF RECORDED IN VOLUME 7, PAGE 32 BRAZORIA COUNTY PLAT RECORDS IN THE H. T. AND B. RAILROAD COMPANY SURVEY, SECTION 69, ABSTRACT 280 IN BRAZORIA COUNTY, TEXAS, SAID 0.1943 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS-TO-WIT:

BEGINNING at a point marking the East corner of Lot 8, Block 15 of Braebend Estates Subdivision and the north corner of Lot 9, Block 15 of Braebend Estates Subdivision described in Volume 7, Page 23 of the Brazoria County Plat Records;

THENCE North 14 degrees 30 minutes 48 seconds East crossing over said Phyllis Street a distance of 60.62 feet to a point at the west corner of Lot 13, Block 14 and the South corner of Lot 12, Block 12 of Braebend Estates Subdivision;

THENCE South 67 degrees 16 minutes 25 seconds East with the Southwesterly boundary of Lots 13 and 14, Block 14 a distance of 162.20 feet to a point at the west corner of Lot 15;

THENCE South 51 degrees 55 minutes 53 seconds 20 west crossing over said Phyllis Street a distance of 68.74 feet to a point in the Northeast line of Lot 10;

THENCE North 67 degrees 16 minutes 25 seconds West partially with the Northeast line of Lot 10 and all of Lot 9 a distance of 120.00 feet to the PLACE OF BEGINNING and containing 0.1943 acre of land.

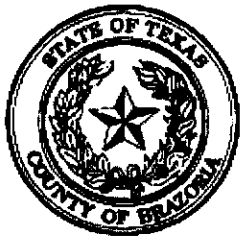
This tract is specifically described previously as being a tract excluded from this transfer but inclusive of the therein described water well.

FILED and RECORDED

Instrument Number: 2024016939

Filing and Recording Date: 04/23/2024 11:12:32 AM Pages: 15 Recording Fee: $77.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-kara